

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

October 7, 1981

3:00 P.M.

Council Chambers

301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Deuser, Duncan,
Mullen, Urdy

Absent: Mayor Pro Tem Trevino, Councilmember Goodman

MINUTES APPROVED

Councilmember Mullen moved that the Council approve the Minutes of the meeting for September 16, 17, and 23, 1981. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Deuser, Duncan, Mullen

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Goodman

Not in Council Chamber when roll was called: Council Urdy

(At this time Councilmember Goodman entered the Council Chamber.)

EMINENT DOMAIN PROCEEDINGS

Councilmember Deuser moved that the Council adopt a resolution authorizing eminent domain proceedings to acquire the following tract of land for East Riverside Drive street improvements: 0.7651 of one acres of land out of the Santiago Del Valle Grant. (Marvel Gary Freeman, et al, owners). The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution authorizing eminent domain proceeding to acquire two tracts of land for drainageway easements in connection with the East Riverside Drive project: Two tracts of land out of a 13.23 acre tract of the Sanitago Del Valle Grant. (Larry K. Yount, et al, owners). The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

RELEASE OF EASEMENTS

Councilmember Deuser moved that the Council adopt a resolution authorizing release of the following easement:

A portion of a 7.5 foot public utility easement on Lot 33, Block 8, Lost Creek Section Two, 6501 Whitemarsh Valley Walk. (Requested by Billy F. Priest Surveyors, Inc., representing Mr. Henry Wetzel, Jr.)

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution authorizing release of the following easement:

10.0 feet of a 25.0 foot public utility easement on Lot 5, Balcones Park Section 8-A, 3407 Ledgestone Drive. (Requested by Mr. Edward S. Butler)

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution authorizing release of the following easement:

A public utility and drainage easement on Lot 8, Block D,
Northwest Hills-Northwest Oaks II, 7631 Rockpoint Drive.
(Requested by Mr. and Mrs. Paul M. Proske)

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution authorizing release of the following easement:

2.5 feet of a 7.5 foot public utility easement located on Lot 11,
Block F, Onion Creek Section 1, 2401 Pebble Beach Cove. (Requested
by Nolen and Associates)

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution authorizing release of the following easement:

An electric and telephone easement on Lots 3 and 4, Outlot 1,
Division E, Robinson Addition and recorded in Volume 2831, Page
164 of the Travis County Deed Records, 704 West Avenue.
(Requested by Mr. Raymond P. Canion)

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

LICENSE AGREEMENT

Councilmember Deuser moved that the Council adopt a resolution entering into License Agreement with the following:

R. JOHN, LTD., for the encroachment of a garage and a foot bridge into a drainage easement and a sanitary sewer easement on Lot 14, Block D, the Herman Brown Subdivision, Addition No. 2, Section 5, 3003 Hillview Road. (Requested by Rayburn & Associates, representing R. John Ltd.)

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

CAPITAL IMPROVEMENTS

Councilmember Deuser moved that the Council adopt a resolution selecting Lockwood, Andrews and Newman, Inc. for professional engineering services for the following project:

Brodie Lane Improvements at William Cannon Drive to Davis Lane.
C.I.P. No. 79/62-14.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Turner Collie Braden, Inc. for professional engineering services for the following project:

Cameron Road Improvements - U.S. Route 183 to Childress.
C.I.P. No. 73/62-44.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Henningson, Durham & Richardson, Inc. for professional engineering services for the following project:

North Bluff Drive Improvements - I.H. 35 South to Pleasant Valley Road. C.I.P. No. 78/62-32.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Bovay Engineers, Inc. for professional engineering services for the following project:

Nuchol's Crossing Road Improvements - Pleasant Valley Road to North Bluff. C.I.P. No. 78/62-36.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Dannenbaum Engineering, Inc. for professional engineering services for the following project:

Rollingwood Drive Bridge Improvements at Dellana Creek. C.I.P. No. 82/60-05.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Espey Huston for professional engineering services for the following project:

Silverway Drive Bridge Improvements at Shoal Creek. C.I.P. No. 82/60-05.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Jeryl Hart & Associates for professional engineering services for the following project:

Upper Walnut Creek Detention Pond Improvements. C.I.P. No. 82/60-05.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Joe Baker & Associates for professional engineering services for the following project:

Sidewalk Improvements. C.I.P. No. 82/61-03.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Cunningham-Graves, Inc. for professional engineering services for the following project:

Spicewood Springs Road - Mesa Drive to Loop 360. C.I.P. No. 78/62-31.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting W. C. Cotten Jr., Inc. for professional engineering services for the following project:

Springdale Road Bridge at Boggy Creek. C.I.P. No. 82/60-05.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

ENGINEERING TESTING

Councilmember Deuser moved that the Council adopt a resolution selecting Brytest, Inc., for engineering testing and soils investigative services in connection with the 1981-82 yearly engineering testing of sub-grades and base courses and soils investigations. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Trinity Engineering for engineering testing services in connection with the following:

1981-82 yearly engineering testing of bituminous concrete base and surface courses and bituminous surface treatment materials.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution selecting Austin Testing & Engineers Incorporated for engineering testing services in connection with the following:

1981-82 yearly engineering testing of portland cement concrete and reinforcement.

The motion, seconded by Councilmember Duncan, carried by the following vote:

RIGHT-OF-WAY

Councilmember Deuser moved that the Council adopt a resolution approving requesting the State Department of Highways and Public Transportation to join with the City of Austin in the acquisition of one parcel of right-of-way for U.S. Highway 183 from W. C. Hurst. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

CONTRACTS APPROVED

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

BELDON ROOFING COMPANY	- Roofing repairs to Fire Station
4125 Todd Lane	No. 3 - \$6,372.00
Austin, Texas	

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

PHILLIPS FIBER CORPORATION	- Engineering Filter Fabric, Public
217 South Stemmons, Suite 201	Works Department
Lewisville, Texas	Item 1 - \$20,090.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

HERSEY PRODUCTS, INC.	- 10" Water Meter (6" turbine on
8383 Stemmon Freeway	bypass), Water & Wastewater
Dallas, Texas	Department
	Item 1 - \$7,695.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

KEWAUNEE SCIENTIFIC EQUIPMENT CORPORATION End of South Center Street Adrian, Michigan	- Furnish and install fume hoods, blowers, and associated equipment, Water and Wastewater Department Item 1, 2 ea. - \$25,428.00
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The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

COOPER EQUIPMENT COMPANY 8723 Broadway San Antonio, Texas	- Implement Trailer, Tilt, Tandem Axle, Water and Wastewater Department Item 1, 1 ea - \$11,291.76
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The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contracts:

Bid Award:	- Forms and Stock Paper, Purchases and Stores Department
STANDARD REGISTER 7115 Burnet Road Austin, Texas	- Items 1-4 - \$15,124.00

BOWATER COMPUTER FORMS - Items 5-6 - \$10,970.00
8842 Broadway
San Antonio, Texas

FORMCRAFT - Item 9 - \$11,550.60
4211 Southwest Freeway #104
Houston, Texas

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

TEXACO, INC. - Turbine Oil, Electric Utility
512 Petroleum Drive Department
San Antonio, Texas Item 1 - \$13,200.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

CONOCO, INC. - Turbine Oil, Electric Utility
5 Greenway Plaza Department
Houston, Texas Item 1 - \$21,450.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

O'ROURKE DISTRIBUTING COMPANY - Turbine Oil, Electric Utility
3601 McKinney Department
Houston, Texas Item 1 - \$34,800.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

GOLDTHWAITE'S OF TEXAS	- Pull Type Mower, Parks and
10751 Sentene1	Recreation Department
San Antonio, Texas	Item 1, 1 ea. - \$6,300.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

PERSENAIRE PARK AND PLAYGROUND	- Floor Exercise Mat ,Parks and
PRODUCTS	Recreation Department
55 Lyerly, #114	Item 1, 1 ea - \$6,700.00
Houston, Texas	

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

WATSON DISTRIBUTION COMPANY	- Integral Type Riding Mower,
5511 Brewster	Parks and Recreation Department
San Antonio, Texas	Item 1, 2 each - \$35,370.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following contract:

LEIF JOHNSON FORD TRUCK CITY
502 East Ben White
Austin, Texas

- Vehicle & Equipment Services -
Austin, Travis County Luncheon
Program Support Vehicle, Parks
and Recreation Department
Item 1, 1 ea. - \$9,028.00

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

WATER APPROACH MAIN

Councilmember Deuser moved that the Council adopt a resolution approving the following wastewater approach main:

CALCASIEU LUMBER COMPANY

- To construct 1000 feet of 8-inch
water and wastewater approach mains
and improve the existing MoPac Lift
Station. Estimated cost is \$47,700
for wastewater improvements, including
6% for engineering. No City cost
participation.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

RESERVED PARKING FOR DISABLED CITIZENS

Councilmember Deuser moved that the Council adopt a resolution supporting the amendment of Article 6675a-5e.1 of V.T.C.S. mandating reserved parking for disabled citizens. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

SICK PAY FOR FICA PURPOSES

Councilmember Deuser moved that the Council adopt a resolution adopting a policy relating to sick pay for Federal Insurance Contribution Act (FICA) purposes. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

EXCHANGE OF LAND

Councilmember Deuser moved that the Council adopt a resolution approving exchange of land between the City of Austin and the Austin Redevelopment Authority. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

TEMPORARY STREET CLOSING

Councilmember Deuser moved that the Council adopt a resolution approving temporarily closing the following streets:

SAN JACINTO (2 lanes adjacent to west curb only) from East Capitol Entrance to 14th and 14TH STREET from North Capitol Entrance to San Jacinto from 9:30 a.m. to 4:30 p.m., on October 25, 1981 for bicycle races as requested by Mr. John Johnansson, representing the Boys' Club of Austin.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving temporarily closing the following street:

LEON STREET, from 26th Street to 25½ Street on October 8, 1981 from 3:00 p.m. to 7:00 p.m., as requested by Bill Montgomery, representing Kappa Alpha for a street party.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

MEMBERSHIP DUES FOR BRACKENRIDGE

Councilmember Deuser moved that the Council adopt a resolution approving Brackenridge Hospital to reinstate its membership dues in the amount of \$7,702.10 in the Texas Hospital Association (Recommended by the Hospital Board). The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

HOSPITAL CONTRACTS

Councilmember Deuser moved that the Council adopt a resolution approving the following hospital contract. (Recommended by the Hospital Board):

Psychiatric Services with Dr. Deborah C. Peel, Associated in the amount of \$10,000 per year.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following hospital contract. (Recommended by the Hospital Board):

Otorhinolaryngologist (ENT) Services with Dr. David Tobey and Associates in the amount of \$20,000 per year.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

Councilmember Deuser moved that the Council adopt a resolution approving the following hospital contract. (Recommended by the Hospital Board):

An amendment to the Ophthalmological Services contract with Dr. James McNabb and Associates in the amount of \$6,000 per year.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

VOCATIONAL TRAINING SERVICES

Councilmember Deuser moved that the Council adopt a resolution entering into a non-financial agreement with Texas Education Agency to provide vocational training services at an estimated cost of \$126,480. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

TEC ALLOWANCE PAYMENTS

Councilmember Deuser moved that the Council adopt a resolution authorizing contract with the Texas Employment Commission to provide allowance payments in the following amounts:

Title II-B	\$300,000
Title VII	72,000
	<u>\$372,000</u>

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino

ITEM PULLED FROM AGENDA

Councilmember Deuser moved that the following item be pulled from the agenda:

Consider authorization to negotiate and contract with the SER-Jobs for Progress in the amount of \$57,576 to train 28 CETA eligible individuals.

The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino

(Mayor Pro Tem Trevino entered the Council Chamber at this time.)

PUBLIC HEARING SET

Councilmember Deuser moved that the Council set a public hearing to amend Chapter 41 of the Austin City Code to require street lights in urban subdivision for October 29, 1981 at 6:30 p.m. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Deuser, Duncan, Goodman, Mullen, Urdy,
Mayor McClellan, Mayor Pro Tem Trevino

Noes: None

CONSENT ORDINANCES

Councilmember Mullen moved that the Council waive the requirement for three readings and finally pass the following ordinances in one consent motion. The motion was seconded by Councilmember Duncan, and carried by the following vote:

(Seven to zero vote except zoning cases C14-81-099 and C-14-81-091, which passed six to one with Councilmember Deuser voting no. Zoning cases C14-79-098 and C14r-80-226 passed four to zero with Councilmembers Deuser, Duncan and Urdy abstaining because they were not Councilmembers when these cases were heard and granted on April 30, 1981)

Councilmember Mullen pointed out to them that if they abstain on all zoning cases which were heard and granted prior to their taking office, then it will always take three readings of those ordinances and create considerable delay. He told them that their back-up material contains the discussion of these cases, and they should be able to familiarize themselves with the facts and be able to vote.

Motion to Reconsider

Councilmember Mullen moved that the Council reconsider the consent vote on ordinances. The motion, seconded by Mayor McClellan, carried by a unanimous vote.

Motion

Councilmember Mullen moved that the Council waive the requirement for three readings and finally pass the following ordinances in one consent motion. The motion was seconded by Councilmember Duncan.

BUDGET AMENDMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE FISCAL YEAR 1981-1982 BY ACCEPTING AND APPROPRIATING \$523,904.00 FROM THE CAPITAL AREA PLANNING COUNCIL, TEXAS DEPARTMENT ON AGING; SUSPENDING THE RULE REQUIRING ORDINANCES TO BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

SECTION OF CODE REPEALED

Mayor McClellan introduced the following ordinance:

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance, repealing Section 21-51 of the Austin City Code, supporting the amendment of Article 6675a-5e.1 of V.T.C.S. mandating reserved parking for disabled citizens. The motion, seconded by Councilmember Duncan, carried by the following vote:

8110-1-1-F

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

STREET VACATION

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PERPETUALLY CLOSING AND VACATING THAT CERTAIN PORTION OF SABINE STREET EXTENDING FROM THE NORTH PROPERTY LINE OF EAST 9TH STREET TO THE SOUTH PROPERTY LINE OF EAST 10TH STREET; RETAINING PUBLIC UTILITY AND DRAINAGE EASEMENTS THEREIN; SUSPENDING THREE SEPARATE DAYS READING RULE; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

SPEED ZONES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SUBSECTIONS (a), (c) AND (e) OF SECTION 21-42 AND SECTION 21-43 OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SECTION AND SUBSECTIONS THEREBY DECLARING THE MAXIMUM PRIMA FACIE SPEED LIMITS UPON CERTAIN STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d); REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

Speed zones are as follows:

<u>ON</u>	<u>FROM</u>	<u>TO</u>
DELETION - Subsection c - 45 mph		
MoPac Blvd. N. northbound main lanes	Balcones Drive STA 345 + 22	2503' north of Northland Drive
DELETION - Subsection e - 55 mph		
MoPac Blvd. N. northbound main lanes STA 609 + 00	5025' south of Enfield Road	South City Limit
MoPac Blvd. N. northbound main lanes STA 345 + 22	2503 north of Northland Dr. STA 580 + 00	2125' south of Enfield Road
MoPac Blvd. S. southbound main lanes	Balcones Drive STA 574 + 00	1525' south of Enfield Road
ADDITION - Subsection e - 55 mph		
MoPac Blvd. Loop 1 northbound main lanes	RM 2244	1214' north of Steck
MoPac Blvd. Loop 1 southbound main lanes	700' South of Steck Avenue	RM 2244
ADDITION - Section 21-43 - minimum speed 45 mph		
MoPac Blvd. Loop 1 northbound main lanes	RM 2244	1214' north of Steck Avenue
MoPac Blvd. Loop 1 southbound main lanes	700' south of Steck Avenue	RM 2244
ADDITION - Section 21-42 - Subsection a - 35 mph		
Pleasant Valley Road	Five hundred feet north of the centerline of Riverside Drive	Centerline of Oltorf Street

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 2: A 28.875 ACRE TRACT OF LAND OUT OF THE JAMES ROGERS SURVEY, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 3701-4309 DUVAL ROAD; AND

TRACT 5: A 60.492 ACRE TRACT OF LAND OUT OF THE JAMES ROGERS SURVEY FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "DL" LIGHT INDUSTRIAL, FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 11900-11942 BURNET ROAD; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14-79-098, Donald S. Thomas, Tracts 2 and 5 only)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 26.668 ACRES TRACT OF LAND, LOCALLY KNOWN AS 7521 NORTH CAPITAL OF TEXAS HWY. (temporary), FROM INTERIM "AA" RESIDENCE, AND "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (C14r-80-226, Jeannie S. Atkinson et al Lakewood, Ltd.)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

ALL OF THE SOUTH FIVE (5.0) FEET OF THE EAST 46.00 FEET OF LOT 10 AND THE WEST 4.00 FEET OF LOT 11, BLOCK 6, SILVERTON HEIGHTS, A SUBDIVISION IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, LOCALLY KNOWN AS 404 KENNISTON DRIVE, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Ben Earl Callaway, C14-81-099)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmember Duncan
Noes: Councilmember Deuser

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 1-5 MAPLE RUN, SECTION TWO-B; LOTS 1-10, BLOCK C, MAPLE RUN, SECTION TWO-A, LOCALLY KNOWN AS 3501-3507, 3500-3506, 3602-3900 AND 3603-3903 ALEXANDRIA DRIVE; 8302-8206 AND 8203-8205 CROFTWOOD DRIVE, ALL OF COUNSELOR DRIVE; CASPIAN DRIVE, CAYUGA DRIVE, HOBBS COVE AND ARROW DRIVE; AND 8210 AND 8300 BRODIE LANE; FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "AA" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (City of Austin, C14-81-156)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 2: A TRACT OF LAND CONTAINING 0.84 OF ONE ACRE OF LAND MORE OR LESS, LOCALLY KNOWN AS NEELY DRIVE AND SPICEWOOD SPRINGS ROAD, FROM INTERIM "A", RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (James C. Hughes, C14-80-055, Tract 2 only)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 4.32 ACRES TRACT OF LAND, LOCALLY KNOWN AS 9111 OLD JOLLYVILLE ROAD AND ALSO BOUNDED BY U.S. 183, FROM INTERIM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Herman F. Waters, Jr., C14-80-144)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmembers Deuser, Duncan
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

ALL OF THE NORTH TEM (10.00) FEET OF LOT 5, BLOCK A, BREEZY HOLLOW ADDITION, SECTION NO. 1, LOCALLY KNOWN AS 1513 W. KOENIG LAND, FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "O-1" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Allandale Baptist Church, C14-81-091)

Councilmember Mullen moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Duncan, carried by the following vote:

Ayes: Councilmembers Goodman, Mullen, Urdy, Mayor McClellan,
Mayor Pro Tem Trevino, Councilmember Duncan

Noes: Councilmember Deuser

The Mayor announced that the ordinance had been finally passed.

EXECUTIVE SESSION

Mayor McClellan announced that Council will convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session, any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

RECESS

Council recessed its meeting for executive session at 3:50 p.m. and resumed its recessed meeting at 4:15 p.m.

RATE ADJUSTMENTS

Mr. Bill Bulloch, Director of Water and Wastewater, reported as follows: on the Rate Adjustment for Water Districts and Municipal Utility Districts:

"The major concern was to make sure those customers inside water districts and MUD's were treated the same way as any other customer that is outside the City. That is an equity issue that is a concern that we have tried to talk to you about. What the impact would be if we came back and recognized that impact to the individual who lives inside the MUD or water district as they relate to somebody outside the city as far as their water and wastewater bill and see if we could talk to Council about changing that rate structure and making that cost of service equitable to the individual outside the city regardless of the location. To do that we analyze would be increasing rates for wholesale customers...MUD's and water districts based upon the old rate structure by

10½% and then translating that back into a rate consistent with the elimination of the declining block rate for wholesale customers only. This type of relationship is present in other cities, such as San Antonio and Dallas. The impact financially to the utility if we did this would be a reduction in revenue of about \$251,000 for this fiscal year. The way to handle that would be to have the utility absorb that increase in expenditure or to come back and cycle through the rate structure and have a slight increase back to both the wholesale customers and the existing city customers. That is one option we have to handle it and we would like to have some feedback from Council on what their feelings are on dealing with the wholesale/retail issue for out of city customers that live inside of water districts and MUD's. ... There is an equity issue in treating customers as equally as possible regardless of whether they reside outside of the City. ... We can come back to Council with a special rate for wholesale customers only and then we would talk to you either about a reduction in our operating costs for this year or possible the alternative of a rate increase both for wholesale customers and all other customers which would amount to 5/10 to 6/10% rate increase if Council wishes to pursue and address the equity issue."

Councilmember Mullen said he is in favor of being equitable. Mr. Bulloch said an ordinance needs to be brought back to Council for their consideration.

FLOOD ACQUISITION PROGRAM

Mr. Joe Morahan, Director of Property Management, reported on the Flood Acquisition Program. He said negotiations for property will be conducted next week and brought back to Council for approval. He said the acquisition does not fit into the norm, so they have asked the City Attorney whether the City pays for the homes in their present condition or how they were before the flood. Discussion followed. Mr. Albert DeLaRosa, Acting City Attorney, said the purpose of the acquisition is to improve the creek bed and not buy houses that are flooded. Mr. Morahan pointed out that replacement value could depend on whether or not restoration has taken place. It may be that some have not restored their homes because the City is thinking of acquiring the house. Mr. Morahan went on to say there are several problems, for example, what about houses that are destroyed but have mortgage balance and other unusual cases.

SALE OF SURPLUS CITY-OWNED PROPERTY

Mr. Joe Morahan, Director of Property Management, reported as follows on Sale of Surplus City-Owned Real Property:

"This is submitted as an informational report in accordance with City Council policy and is requested for presentation as a City Manager Report at the City Council meeting October 7, 1981.

"The two parcels of City-owned real property described below and in the attached exhibits have been determined to be surplus to the needs of the City and available for sale:

<u>Parcel No.</u>	<u>Location</u>	<u>Planning Commission Approval Date</u>
M-30	701 Herndon Lane	September 8, 1981
P-103	North Lamar Boulevard at West 25th Street	September 22, 1981

"The Planning Commission approval on No. M-30 was to sell by public sealed bids. The Commission's approval on No. P-103 is conditioned on the filing of an application for zoning and rollback from "B" Residence, 5th Height and Area, to "B" Residence, 1st Height and Area, which is being initiated by the Planning Department.

"Parcel No. M-30 was acquired in 1979 for the purpose of establishing a house for multiply-handicapped persons but the property was not used for that purpose. The purchase price was \$37,900.00, which came from HCD Block Grant Funds.

"Parcel No. P-103 was acquired by three separate deeds in 1966 for right-of-way and general purposes but is no longer needed except for the right-of-way reservation as indicated. The purchase price(s) totaled approximately \$165,000.00, which came from the General Fund.

"Unless the City Council wishes to delay or modify either of these parcels, we will plan to offer them for sale by public sealed bids after appraisals and other preparations have been completed, probably within 90 to 120 days. Proceeds from the sales will go back to the original purchase funds.

"This is an informational report so no action by the City Council is necessary unless it has questions or wishes to take specific action on either parcel."

ALTERNATIVES FOR PROVIDING HOUSING REHABILITATION

The City Manager Report on Alternatives for Providing Housing Rehabilitation presented by Assistant City Manager Ed Badgett is on file in the City Clerk's Office.

HUMAN RELATIONS COMMISSION REPORT

MR. JOHN DARROUZET, Chairman, Human Relations Commission, reported on the following proposed amendments to Ordinance No. 770825-F:

- a. Exempt a housing accommodation designed and operated exclusively for senior adults, or any nursing home, convalescent home, or retirement home.
- b. Insure that a person will not rent a unit to a family whose total number of persons exceeds the reasonable space available.

- c. A percentage of rental units that do not fall into categories 1 and 2 be reserved for families with children.

His report to Council is on file in the City Clerk's Office. Council discussed the report.

CERTIFICATION OF FAIR HOUSING ORDINANCE
INITIATIVE PETITION

Mrs. Grace Monroe, City Clerk, announced, "Regarding the Fair Housing Ordinance Initiative Petition, the Charter requires that the Clerk report to the Council at its first regular Council Meeting after 30 days and I have submitted that to you. I will be glad to read it or you accept that I have filed that with you."

Motion

Councilmember Deuser moved that the Council accept the Certification by the City Clerk of the results of the Fair Housing Ordinance Initiative Petition as follows:

Requisite number for valid petition 18,860

Said petition contains signatures of 17,885 of which:

12,480 are qualified voters of the City of Austin,
4,515 are disqualified voters, and
890 are duplicates

The motion, seconded by Mayor Pro Tem Trevino, carried by the following vote:

Ayes: Councilmember Urdy, Mayor McClellan, Mayor Pro Tem
Trevino, Councilmember Deuser

Noes: None

Not in Council Chamber when roll was called: Councilmembers
Duncan, Goodman, Mullen

Mrs. Monroe pointed out there were not enough valid signatures on the petition, therefore, the petitioners are allowed 15 days to gather the remainder of signatures needed. She said she would notify the petitioners that their 15 days will begin on October 8, 1981.

ADJOURNMENT

Council adjourned its meeting at 5:05 p.m.